

**57-8a-216 Association bylaws -- Recording required -- Bylaw requirements.**

- (1)
- (a) No later than the date of the first lot sale, an association shall file its bylaws for recording in the office of the recorder of each county in which any part of the real estate included within the association is located.
  - (b) If an association fails to file bylaws for recording within the time specified in Subsection (1)(a), the board may file the bylaws for recording as provided in Subsection (1)(a).
- (2) Unless otherwise provided in the declaration, an association's bylaws shall state:
- (a) the number of board members;
  - (b) the title of each of the association's officers;
  - (c) the manner and method of officer election by the board or, if the declaration requires, by the lot owners;
  - (d)
    - (i) the board member's and officer's:
      - (A) qualifications;
      - (B) powers and duties; and
      - (C) terms of office;
    - (ii) the method for removing a board member or officer; and
    - (iii) the method for filling a board member or officer vacancy;
  - (e) the powers that the board or officers may delegate to other persons or to a managing agent;
  - (f) the officers who may prepare, execute, certify, and record amendments to the declaration on behalf of the association;
  - (g) a method for the board or lot owners to amend the bylaws, consistent with Section 16-6a-1010; and
  - (h) subject to the provisions of the declaration and unless the declaration or this chapter requires that a provision appear in a declaration, any other matter that is necessary or appropriate for conducting the affairs of the association, including:
    - (i) meetings;
    - (ii) voting requirements; and
    - (iii) quorum requirements.
- (3) An association shall file any amended bylaws for recording in the same manner as the association is required to file the initial bylaws for recording under Subsection (1).

Enacted by Chapter 355, 2011 General Session